

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LAWRENCE SHAPIRO,

Plaintiff,

v.

ERIC LUNDAHL, et al.,

Defendants.

Case No. [16-cv-06444-MEJ](#)

**ORDER DENYING MOTION FOR
SANCTIONS**

Re: Dkt. No. 37

Pending before the Court is Defendant Eric Lundahl's Motion for Sanctions. *See* Mot., Dkt. No. 37. Plaintiff Lawrence Shapiro filed an Opposition (Dkt. No. 40), and Defendant filed a Reply (Dkt. No. 41). Pursuant to Federal Rule of Civil Procedure 78(b) and Civil Local Rule 7-1(b), the Court finds this matter suitable for disposition without oral argument and hereby VACATES the August 17, 2017 hearing.

Lundahl argues Plaintiff Lawrence Shapiro violated Rule 11 and this Court's Order that any amendment of the First Amended Complaint be made in good faith and consistent with counsel's obligation under Rule 11. *See* Mot. As the Court's Order Dismissing the Second Amended Complaint ("SAC") makes plain, admiralty jurisdiction can be a complicated question. Order, Dkt. No. 38. Indeed, courts have found admiralty jurisdiction existed in situations that bore some resemblance to the facts alleged in the SAC, i.e., where a plane crashed on land after encountering trouble over navigable waters. *See* Order at 6-7. While the Court ultimately found that the SAC did not plead facts sufficient to show admiralty jurisdiction existed, the Court cannot find that Plaintiff's amendment was not made in good faith and consistent with counsel's obligation under Rule 11.

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Accordingly, the Court DENIES the Motion for Sanctions.

IT IS SO ORDERED.

Dated: August 9, 2017



MARIA-ELENA JAMES
United States Magistrate Judge